

CRIMINAL COMPLAINT
(Electronically Submitted)

United States District Court	DISTRICT of ARIZONA
United States of America	DOCKET NO.
v. Jorge Luis Esparza BOJORQUEZ DOB: 2000; Mexican Citizen	MAGISTRATE'S CASE NO. 23-07269MJ
Complaint for violation of Title 18, United States Code, § 554(a)	

On or about April 13, 2023, in the District of Arizona, **Jorge Luis Esparza BOJORQUEZ** knowingly and fraudulently exported and sent from the United States, and attempted to export and send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is: a Glock 21 pistol, an AR-15 style rifle, a Kel-Tec Sub 2000, magazines, and .223, .45, and .40 caliber ammunition, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819; Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774; all in violation of Title 18, United States Code, Section 554(a).

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On April 13, 2023, **Jorge Luis Esparza BOJORQUEZ** attempted to exit the United States to the Republic of Mexico through the DeConcini Port of Entry in Nogales, Arizona. **BOJORQUEZ** was the driver and sole occupant of a 2003 Ford F250 vehicle bearing AZ license plate number AVM5161. A Customs and Border Protection Officer (CBPO) was conducting outbound inspections at primary inspection when he noticed **BOJORQUEZ** was exhibiting nervous behavior such as tightly clutching the steering wheel and avoiding eye contact with CBPOs. Based on these indicators, CBPOs pulled the vehicle in for a secondary inspection.

CBPOs conducted a search of the vehicle and found a Glock 21 pistol in the center console. CBPOs asked **BOJORQUEZ** if there were any other weapons in the vehicle and **BOJORQUEZ** stated there were three total weapons in the truck. CBPOs then discovered an AR-15 style rifle with no serial number and a Kel-Tec Sub 2000. CBPOs also discovered magazines for the AR-15 style rifle, Glock 21 pistol, and Kel-Tec, as well as .223, .45, and .40 caliber ammunition. CBPOs conducted law enforcement database queries and found that the F250 vehicle was reported stolen, and the Glock pistol was stolen.

In a post-*Miranda* interview, **BOJORQUEZ** admitted that he agreed with another individual to take a vehicle from Nogales, Arizona into Nogales, Mexico in exchange for money. **BOJORQUEZ** was told where and when to pick up the vehicle. When he got inside the vehicle, he was unable to start the engine because the key was damaged. In looking for another key, he saw a Glock pistol in the console. He then discovered an AR-15 rifle and a Kel-Tec in the rear area of the vehicle. He was able to successfully start the vehicle and attempted to drive it to Mexico when he was stopped by CBPOs at the port of entry. **BOJORQUEZ** knew that it was illegal to export weapons from the United States into Mexico without a license. He stated that he attempted to take the weapons into Mexico because he believed it would be easy money.

The firearms, magazines, and ammunition qualify as United States Commerce Control List items and therefore are prohibited by law for export from the United States into Mexico without a valid license. **BOJORQUEZ** does not possess a license to export weapons, magazines, and ammunition.

MATERIAL WITNESSES IN RELATION TO THE CHARGE: N/A

DETENTION REQUESTED Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT Digitally signed by STEVEN M ANDUJAR STEVEN M ANDUJAR Date: 2023.04.14 13:56:12 -07'00'
AUTHORIZED BY AUSA R. Arellano <u>Raquel Arellano</u>	Digitally signed by RAQUEL ARELLANO Date: 2023.04.14 12:55:04 -07'00'
OFFICIAL TITLE HSI Special Agent Steven Andujar	
Sworn by telephone <u>x</u>	
SIGNATURE OF MAGISTRATE JUDGE ¹⁾ <u>Jacqueline M. Ratkeau</u>	DATE April 14, 2023

1) See Federal Rules of Criminal Procedure Rules 3, 4.1, and 54